Remarks

Claim 1 has been amended to incorporate into it the limitations of original claim 5. Claim 2 is amended to make conforming changes. Claim 4 has been amended to correct a typographical error. Claim 11 has been amended to incorporate into it the limitations of original claim 13. Claims 5 and 13 have been canceled. New claims 14 and 15 have been added. These claims have the same scope as original claims 2 and 3.

As the case now has 4 independent claims, a fee of $100 accompanies this response.

Claims 1-6 and 11-12 as amended require that the composting box includes two main walls that are held apart and substantially parallel to each other by two connecting and spacing members. The connecting and spacing members are located proximate to diagonally opposing corners of the main walls. The first and second main walls define opposing first and third sides of the composting box and opposing second and fourth sides of the composting box. The composting box further includes two detachable side panels which are adapted (1) to be detachably affixed to said main unit to form opposing walls on said first and third sides of the composting box and (2) to be detachably affixed to said main unit to form opposing walls on said second and fourth sides of the composting box.

Claims 7-10 have already been indicated as being allowable.

Original claims 1-4 and 11-12 stand rejected over US Patent No. 5,322,793 (Yarnell) or combinations of Yarnell with US 5,628,812 (Tempe) or US 5,322,793 (Graefe).

Claim 11 as now amended is to a composting box. Claim 1 is to a method for using such a box to maintain a compost pile. The composting box has two main walls that are spaced apart at diagonally opposing corners by connecting and spacing members. There are in addition two detachable side panels that can be attached to the main walls to form a four-sided box. The side panels can be attached to first and third sides of the main walls, or to second and fourth sides of the main walls. The connecting and spacing members allow the side panels to be detached and reattached from the main unit without destroying the main unit itself, which retains the particular spacing and orientation of the main walls.

The peculiar geometry and construction of the compositing box of claim 11 allows it to be used in a unique way. With the side panels attached to the main unit, the box forms a container that is open at top and bottom. By removing the side panels, the main unit becomes a "box" with only two parallel sides, connected at diagonally opposite corners. This two-sided box can be easily removed from the compost pile without further disassembly,

such as by sliding it away from the pile or by "tilting" it 90 degrees to rotate the box away from the pile. Accordingly, there is no need to first remove the pile from the box. The compost can be transferred to the newly relocated box (without need to lift the compost above the height of the box), and the sides reattached to again form a four-sided box. This arrangement allows the compost pile to become aerated with minimal energy expenditure for lifting either the box or the pile.

Yarnell describes a composting bin made of side panels that are connected together with slats (reference number 16 in his Figure 1). Yarnells' slats are not "connecting and spacing members" as defined in current claims. Those slats connect adjacent panels together, rather than connecting and spacing opposing main walls as in this invention. Because of the difference in construction, Yarnell's compositing bin cannot be used in the same manner as the applicant's box. Yarnell's bin cannot be partially disassembled by removing a pair of opposing sides and then tilted, slid or rolled into a new position and reassembled, because Yarnell's entire bin falls apart when the slats are removed and any two opposing sides are taken away.

Yarnell therefore does not describe the method of any of claims 1-6 of this application or the composting box of claims 11 and 12.

The secondary references do not in any way suggest to modify the Yarnell design to reach the applicant's design. Tempe is cited only for the proposition that it was known to use a piece of apparatus to maintain multiple compost piles. This does not cure the basic deficiency of the Yarnell reference, even if Tempe contained such a teaching. However, the Examiner appears to be misreading the Tempe reference, because the two piles identified at column 4 lines 45-67 of Tempe appear to be a product to be treated (ref. numeral 10) and an additive to be added to the product (reference number 13), rather than two compost piles.

Similarly, Graefe is cited only for the teaching that wheels can be added to a compost bin. Again, this teaching does not address the deficiencies of the Yarnell reference. No combination of Yarnell and Graefe leads to the present invention.

New claims 14 and 15 are distinguished from Yarnell, in that the method of these claims, the compost box is removed from the compost pile by sliding or rolling the box. Yarnell's box is not adapted to be removed in such a manner, as the removal of his slats (16) causes his box to become fully disassembled. Graefe shows that it was known to put wheels on a composter in order to move the composter and its contents around. Graefe does not describe any modifications of a compost box which would permit it to be partially

disassembled and then pulled or wheeled away from the compost that was contained within the box. The combination of Yarnelland Graefe therefore does not suggest the subject matter of claims 14 and 15.

For these reasons, the claims as they now stand define subject matter that is clearly novel and unobvious over the cited references. A timely notice of allowance is respectfully requested.

Respectfully submitted,
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